

**16016. Adulteration of canned sardines. U. S. v. 24¼ Cases of Sardines. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23083. I. S. No. 03168. S. No. 1173.)**

On September 13, 1928, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 24¼ cases of sardines, remaining in the original unbroken packages at Philadelphia, Pa., consigned by the Sunset Packing Co. (Inc.), Pembroke, Me., alleging that the article had been shipped from Pembroke, Me., on or about August 3, 1928, and transported from the State of Maine into the State of Pennsylvania, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Drummer Boy Brand Sardines \* \* \* Packed by The Sunset Packing Co., Inc., West Pembroke, Me."

It was alleged in the libel that the article was adulterated in that it consisted in part of a filthy, decomposed, or putrid animal substance.

On October 22, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16017. Adulteration of canned sardines. U. S. v. 4 Cases of Sardines. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23058. I. S. No. 02530. S. No. 1154.)**

On September 6, 1928, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 4 cases of sardines, remaining in the original unbroken packages at Lowell, Mass., consigned about May 29, 1928, alleging that the article had been shipped by the Sunset Packing Co. (Inc.), Pembroke, Me., and transported from the State of Maine into the State of Massachusetts, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Sunset Brand American Sardines \* \* \* Packed by The Sunset Packing Co. Inc., West Pembroke, Me."

It was alleged in the libel that the article was adulterated in that it consisted in part of a filthy, decomposed, or putrid animal substance.

On October 11, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture*

**16018. Misbranding of An-A-Cin. U. S. v. 8 Dozen Packages of An-A-Cin. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 22821. I. S. No. 20484-x. S. No. 875.)**

On June 18, 1928, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 8 dozen packages of An-A-Cin, remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by McNally Bros. warehouse, from New York, N. Y., on or about April 25, 1928, and transported from the State of New York into the State of Maryland, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of acetphenetidin (3 grains per tablet), quinine, acetylsalicylic acid, caffeine, and starch.

It was alleged in the libel that the article was misbranded in that the package containing the said article failed to bear a statement on the label of the quantity or proportion of acetphenetidin, a derivative of acetanilide, since, although the statement "acetphenetidin (acetanilid derivative) 3 gr. per tablet" appeared on the label, it was inconspicuously placed thereon and was in exceedingly small type.

Misbranding was alleged for the further reason that the following statements borne on the labels, regarding the curative and therapeutic effects of the article, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Tin container) "Usual adult dose for headache, toothache, earache, neuritis, neuralgia, colds, rheumatism \* \* \* and periodical pains, 1 or 2 tablets first followed by 1 tablet each hour or each two hours as required. Sore throat—dissolve 1